

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USCA Docket Number:

USDC Docket Number : 04-cv-12491

Michael B. Handrigan

v.

Travis & Natalie, Inc.,

CLERK'S CERTIFICATE

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents as indicated on the certified copy of the docket and contained in Volume(s) I are the original pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 8/11/05.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on October 11, 2005.

Sarah A. Thornton, Clerk of Court

By: 

Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 10/11/05


Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:04-cv-12491-NMG**

Handrigan v. Travis & Natalie, Inc.
Assigned to: Judge Nathaniel M. Gorton
Cause: 28:1333 Admiralty

Date Filed: 11/24/2004
Jury Demand: Defendant
Nature of Suit: 340 Marine
Jurisdiction: Federal Question

Plaintiff

Michael B. Handrigan

represented by **David B. Kaplan**
THE KAPLAN/BOND
GROUP
88 Black Falcon Avenue
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LEAD ATTORNEY
ATTORNEY TO BE
NOTICED

V.

Defendant

Travis & Natalie, Inc.
*Owner of F/V Travis &
Natalie*

represented by **J. Renn Olenn**
Olenn & Penza, LLP
530 Greenwich Avenue
Warwick, RI 02886
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NOTICED

Date Filed	#	Docket Text
11/24/2004	<u>1</u>	COMPLAINT against Travis & Natalie, Inc. Filing fee: , filed by Michael B. Handrigan. (Attachments: # <u>1</u> Civil Cover Sheet)(Barrette, Mark) (Entered: 11/29/2004)
11/24/2004		If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Bowler. (Barrette, Mark) (Entered: 11/29/2004)
11/24/2004		Summons Issued as to Travis & Natalie, Inc. (Barrette, Mark) (Entered: 11/29/2004)
11/24/2004	<u>2</u>	Seaman's AFFIDAVIT of David B. Kaplan by Michael B. Handrigan. (Barrette, Mark) (Entered: 11/29/2004)
12/23/2004	<u>3</u>	SUMMONS Returned Executed Travis & Natalie, Inc. served on 12/8/2004, answer due 12/28/2004. (Nicewicz, Craig) (Entered: 12/28/2004)
12/27/2004	<u>4</u>	ANSWER to Complaint with Jury Demand by Travis & Natalie, Inc..(Nicewicz, Craig) (Entered: 12/28/2004)
02/01/2005	<u>5</u>	MOTION to Transfer Venue Pursuant to 28 USC 1404 (a) by Travis & Natalie, Inc. (Attachments: # <u>1</u> Affidavit of Frederick J. Mattera)(Barrette, Mark) (Entered: 02/02/2005)
02/01/2005	<u>6</u>	MEMORANDUM in Support re <u>5</u> MOTION to Transfer Case filed by Travis & Natalie, Inc. (Barrette, Mark) (Entered: 02/02/2005)

02/15/2005	<u>7</u>	MEMORANDUM in Opposition re <u>5</u> MOTION to Transfer Case filed by Michael B. Handrigan. (Kaplan, David) (Entered: 02/15/2005)
02/23/2005	<u>8</u>	NOTICE of Scheduling Conference Scheduling Conference set for 5/5/2005 03:00 PM in Courtroom 4 before Judge Nathaniel M. Gorton. (Nicewicz, Craig) (Entered: 02/23/2005)
04/20/2005	•	Counsel should be prepared to argue motion to transfer venue <u>5</u> at the 5/5/05 3:00 p.m. scheduling conference being held in BOSTON. (Nicewicz, Craig) (Entered: 04/20/2005)
05/02/2005	<u>9</u>	JOINT SUBMISSION pursuant to Local Rule 16.1 and Joint Certification Pursuant to Local Rule 16.1 (D)(3) by Michael B. Handrigan.(Kaplan, David) (Entered: 05/02/2005)
05/05/2005	•	Electronic Clerk's Notes for proceedings held before Judge Nathaniel M. Gorton : Scheduling Conference held on 5/5/2005. Litmited discovery, 3 hours depositions owner of vessel by 6/5/06, any other pleadings on motion to change venue 6/15/05, responses 6/29/05. Pretrial conference 5/11/06 at 3:00 p.m., jury trial 6/5/06 at 9:00 a.m. Scheduling Order to issue. (Nicewicz, Craig) (Entered: 05/19/2005)
05/10/2005	<u>10</u>	CERTIFICATION pursuant to Local Rule 16.1 (D)(3) by Michael B. Handrigan.(Kaplan, David) (Entered: 05/10/2005)
05/12/2005	<u>11</u>	CERTIFICATION pursuant to Local Rule 16.1 by Travis & Natalie, Inc..(Elefther, Elizabeth) (Entered: 05/17/2005)
05/19/2005	<u>12</u>	Judge Nathaniel M. Gorton : Electronic ORDER entered. SCHEDULING ORDER: Final Pretrial Conference set for 5/11/2006 03:00 PM in Courtroom 4 before Judge Nathaniel M. Gorton. Jury Trial set for 6/5/2006 09:00 AM in Courtroom 4 before Judge

		Nathaniel M. Gorton. See Order for details.(Nicewicz, Craig) (Entered: 05/19/2005)
06/15/2005	<u>13</u>	Supplemental Opposition re <u>5</u> MOTION to Transfer Case filed by Michael B. Handrigan. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u>)(Kaplan, David) (Entered: 06/15/2005)
06/16/2005	<u>14</u>	Supplemental MEMORANDUM OF LAW in Support of <u>5</u> MOTION to Transfer Case by Travis & Natalie, Inc. (Elefther, Elizabeth) (Entered: 06/17/2005)
06/28/2005	<u>15</u>	First ADDENDUM re <u>5</u> MOTION to Transfer Case filed by Michael B. Handrigan. (Kaplan, David) (Entered: 06/28/2005)
07/06/2005	<u>16</u>	Objection to <u>15</u> Addendum to Motion/Memorandum. (Elefther, Elizabeth) (Entered: 07/06/2005)
07/07/2005	<u>17</u>	Judge Nathaniel M. Gorton :Memorandum and ORDER entered granting <u>5</u> Motion to Transfer Case. "Plaintiff has requested oral argument but, under the circumstances, that request is Denied." (Elefther, Elizabeth) Modified on 7/8/2005 (Elefther, Elizabeth). (Entered: 07/08/2005)
07/08/2005		Case transferred to to District of Rhode Island;. Original file with documents numbered 1-17, certified copy of transfer order and docket sheet sent to Clerk in that district. (Elefther, Elizabeth) (Entered: 07/08/2005)
07/14/2005		Return receipt received for mail sent to Rhode Island District Court Delivered on 7/11/05. Rhode Island Case #05CA303ML (Elefther, Elizabeth) (Entered: 07/14/2005)
07/15/2005	<u>18</u>	MOTION for Reconsideration re <u>17</u> Order on Motion to Transfer Case, by Michael B. Handrigan. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(Kaplan, David) (Entered: 07/15/2005)

07/29/2005	<u>19</u>	Opposition re <u>18</u> MOTION for Reconsideration re <u>17</u> Order on Motion to Transfer Case, filed by Travis & Natalie, Inc.. (Elefther, Elizabeth) (Entered: 08/01/2005)
07/29/2005	<u>20</u>	MEMORANDUM OF LAW in Support of by Travis & Natalie, Inc. to <u>19</u> Opposition to Motion for Reconsideration. (Attachments: # <u>1</u> Exhibit A) (Elefther, Elizabeth) (Entered: 08/01/2005)
08/11/2005	<u>21</u>	NOTICE OF APPEAL as to <u>17</u> Order on Motion to Transfer Case, by Michael B. Handrigan. \$ 255 Reason fee is not required: Notice is in abeyance pending this court's ruling on plaintiff's Rule 59(e) Motion for Reconsideration NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 8/31/2005. (Attachments: # <u>1</u> Cover Letter)(Kaplan, David) (Entered: 08/11/2005)